

**SILOAM SPRINGS  
MUNICIPAL AIRPORT  
MINIMUM STANDARDS  
FOR  
COMMERCIAL OPERATIONS**



**CITY OF  
Siloam Springs**

Adopted July 16, 2019

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## **Siloam Springs Municipal Airport Minimum Standards for Commercial Operations**

### **Introduction**

The City of Siloam Springs, owner of the Siloam Springs Municipal Airport, herein referred to as the City, and in a position of responsibility for the operation, maintenance, development, and administration of Siloam Springs Municipal Airport, herein referred to as Airport, does hereby establish the following Minimum Standards for commercial activities at the Airport.

These Minimum Standards were approved by the City of Siloam Springs Board of Directors on July 16, 2019. Ordinance number – 19-15.

These Minimum Standards have been established to be in compliance with the guidance provided by the Federal Aviation Administration (FAA) in Advisory Circular (AC) 150/5190-7 *Minimum Standards for Commercial Aeronautical Activities*. These Minimum Standards are intended to be the minimum requirements for those wishing to provide commercial aeronautical services at the Airport and to ensure that those who have been approved to provide said commercial aeronautical services are not exposed to unfair or irresponsible competition.

All entities wishing to perform aeronautical and/or commercial, and/or any other activities of an aviation or civic nature at the airport shall be accorded a fair and reasonable opportunity, without unlawful discrimination, to qualify and to compete (if applicable) to occupy available facilities at the Airport.

The granting of rights and privileges to individuals and businesses will not be construed as affording any operator an exclusive right for the use of the premises and/or facilities at the airport other than those premises which may be leased exclusively to any operator, and then only to the extent provided in a written lease and/or permit.

These Minimum Standards were developed taking into consideration the aviation role of the Airport, facilities that currently exist at the Airport, services being offered at the Airport, the future development planned for the Airport and to promote fair competition at the Airport.

The uniform application of these Minimum Standards, containing the minimum levels of service that must be offered by prospective service providers, relates primarily to the public interest and discourages substandard entrepreneurs, thereby protecting both the established and future aeronautical users and tenants of the Airport.

These Minimum Standards may be supplemented by policies established by the City Administrator for implementation of these Minimum Standards and amended by the City Board of Directors as needed from time to time.

Appendix A, *Minimum Insurance Coverages*, specifies the minimum insurance coverages that must be provided by commercial operators at the Airport. However, these insurance coverage minimums do not

apply to any commercial activities (e.g. FBO, etc.) operated by the City of Siloam Spring due to the Tort Immunity privileges provided to municipalities in the State of Arkansas under Arkansas state statues.

Existing Operators conducting commercial activities at the Airport shall be required to comply with all applicable provisions of these Minimum Standards within 30 calendar days of the date these Minimum Standards are approved, or further amended, by the City's Board of Directors unless the Operator has requested and been granted an extension by the City Administrator to allow the Operator additional time to comply.

## Definitions

The following definitions have been established for these Minimum Standards:

### *General Definitions*

- (1) **Aeronautical Activity** – Shall be defined in accordance with the FAA regulations and interpretations as any activity that involves, makes possible, or is required for the operation of aircraft or that contributes to or is required for the safety of such operations. Activities within this definition, commonly conducted on airports, include, but are not limited to, the following: general and corporate aviation, air taxi and charter operations, scheduled and nonscheduled air carrier operations, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, aircraft sales and services, aircraft storage, sale of aviation petroleum products, repair and maintenance of aircraft, sale of aircraft parts, parachute or ultralight activities, and any other activities that, because of their direct relationship to the operation of aircraft, can appropriately be regarded as aeronautical activities. Activities, such as model aircraft and model rocket operations, are not aeronautical activities.
- (2) **Air Charter or Taxi** – The commercial operation of providing air transportation of person(s) or property for hire on a charter basis or as an air taxi operator. This does not include air carrier operations conducted under FAR Part 121.
- (3) **Aircraft** – Any device used or designed for navigation or flight in the air including, but not limited to, an airplane, sailplane, glider, helicopter, gyrocopter, ultra-light, balloon, or blimp.
- (4) **Aircraft Fuel** – All flammable liquids composed of a mixture of selected hydrocarbons expressly manufactured and blended for the purpose of effectively and efficiently operating an internal combustion, jet, or turbine engine. This includes 100LL (AVGAS) and Jet A.
- (5) **Aircraft Operation** – An aircraft landing at, or taking off from, the Airport.
- (6) **Aircraft Owner** – A person or entity holding legal title to an aircraft, or any person having exclusive possession of an aircraft.
- (7) **Aircraft Parking and Storage Areas** – Those hangar and apron/ramp locations at the Airport designated by the City, or his/her designee, for the parking and storage of aircraft.
- (8) **Aircraft Rental** – The commercial operation of renting or leasing aircraft to the public for compensation.
- (9) **Aircraft Sales** – The sale of new or used aircraft through brokerage, ownership, franchise, distributorship, or licensed dealership.
- (10) **Airframe and Power Plant Maintenance** – The commercial operation of providing airframe and power plant services, which includes service, repair, maintenance, inspection, constructing, and



making of modifications and alterations to aircraft, aircraft engines, propellers and appliances including the removal of engines for major overhaul as defined in 14 CFR Part 43. This category of service also includes the sale of aircraft parts and accessories.

- (11) **Airframe and Power Plant Mechanic (A&P)** – A person who holds an aircraft mechanic certificate with both airframe and power plant ratings as authorized and described in 14 CFR Part 65.
- (12) **Airport** – An area of land or water that is used, or intended to be used, for the aircraft takeoff and landing. It includes any appurtenant areas used, or intended to be used, for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon. It also includes any heliport.
- (13) **Airport Operations Area (AOA)** – The area of the Airport inside the Airport’s perimeter fence.
- (14) **Airport Reference Codes** – Federal Aviation Administration (FAA) Advisory Circular 150/5300-13, Airport Design, defines the Airport Reference Code (ARC) as “a coding system used to relate airport design criteria to the operational and physical characteristics of the airplanes intended to use the airport.”
- (15) **ALP** – The currently approved Airport Layout Plan (ALP) depicting the physical layout of the airport and identifying the location and configuration of current runways, taxiways, buildings, roadways, utilities, NAVAIDs, etc.
- (16) **Based Aircraft** – An aircraft which the owner physically locates at the Airport for an undetermined period, and whenever absent from the Airport, its owner intends to return the aircraft to the Airport for long-term storage.
- (17) **Commercial Aeronautical Activity** – The conduct of any aspect of a business, concession, operation, or agency providing goods or services to any person for compensation or hire, including exchange of services, whether or not such objectives are accomplished. An activity is considered a commercial aeronautical activity regardless of whether the business is not-for-profit, charitable, or tax-exempt. This definition excludes any aeronautical activity that is not for compensation or hire.
- (18) **Commercial Operator (Operator)** – A sole-proprietor, firm, corporation, or other entity, operating at the Airport with the purpose of generating and/or securing earnings, income, compensation, and/or profit, whether or not such objectives are accomplished, from the conduct of an aeronautical activity. This definition excludes any:
  - Sole-proprietor, firms, corporations, or other entities operating aircraft for the purpose of supporting their own business operations (e.g. corporate flight departments, a business operating an aircraft for their own business purposes, etc.) and not to generate earnings, income, compensation, or profit from the aeronautical activity.
  - Off-Airport suppliers of wholesale goods, equipment, or supplies to commercial operators located at the airport,
  - Non-aeronautical activities (e.g. construction, design, etc.)

- Private flight instruction provided by an individual at the request of an aircraft owner utilizing the owner's aircraft.

- (19) **Exclusive Right** – A power, privilege, or other right excluding or debarring another from enjoying or exercising a like power, privilege, or right. An exclusive right can be conferred either by express agreement, contract, license, lease, and permit or by the imposition of unreasonable standards or requirements, or by any other means. Such a right conferred on one or more parties, but excluding others from enjoying or exercising a similar right or rights, would be an exclusive right.
- (20) **General Aviation** – All phases of aviation other than aircraft manufacturing, military aviation, and scheduled or non-scheduled commercial air carrier operations.
- (21) **Hazardous Material** – Any substance, waste, or material which is toxic, explosive, corrosive, flammable, infectious, radioactive, carcinogenic, mutagenic, or otherwise hazardous, and is or becomes regulated as a hazardous material by any governmental authority, agency, department, commission, board, or agency.
- (22) **Minimum Standards** – The qualifications or criteria established by the City as the minimum requirements that shall be met by businesses to engage in commercial aeronautical activities for the right to conduct those activities.
- (23) **UNICOM** – A two-way communication system operated by an entity that provides airport advisory information.
- (24) **Vehicle** – Any conveyance, except aircraft, used on the ground to transport persons, cargo, and/or equipment.

### ***Governmental Definitions***

- (1) **Airport Manager** – The designated person or duly authorized individual appointed by the City to administer and manage all operations of the Airport and airport facilities, and to supervise all airport projects.
- (2) **City** – The Sponsor for the Siloam Springs Municipal Airport is the City of Siloam Springs (City).
- (3) **FAA** – The U.S. Department of Transportation - Federal Aviation Administration (FAA).
- (4) **FAR** – The Federal Aviation Regulations (FARs) as published by the FAA that govern the operation of aircraft, airways, and airmen. Compliance with the FARs is mandatory. In 1996, all references to the FARs were changed to “14 CFR” (Title 14 of the Code of Federal Regulations).

### ***Fueling Definitions***

- (1) **Commercial Self-Fueling** – A fueling concept that enables a pilot to fuel an aircraft from a commercial fuel pump installed for that purpose by an FBO or the airport sponsor. The fueling facility may or may not be attended. This includes the operations of anyone utilizing this type of equipment to provide fuel for sale or reuse.
- (2) **Fueling or Fuel Handling** – The transportation, sale, delivery, dispensing, storage, or draining of fuel or fuel waste products to or from aircraft, vehicles, or equipment.
- (3) **Fuel Storage Area** – Any portion of the Airport designated temporarily or permanently by the City as an area in which aviation or motor vehicle gasoline or any other type of fuel or fuel additive may be stored or loaded.
- (4) **Private/Personal Self-Fueling** – The private operation of an individual to bring fuel onto the airport in order to fuel their own aircraft.

### ***Lease and Agreements Definitions***

- (1) **Agreement** – The written agreement between the City and an Operator specifying the terms and conditions under which the Operator may conduct commercial aviation activities. Such Agreement will recite the terms and conditions under which the activity will be conducted at the Airport including, but not limited to, term of the Agreement; rents, fees, and charges to be paid; and the rights and obligations of the respective parties.
- (2) **Lease** – The written contract between the City and an Operator (Lessee) specifying the terms and conditions under which an Operator may occupy and operate from certain Airport facilities and/or property.
- (3) **Lease Assignment and Assumption** – A written agreement, approved by the City that transfers an existing leaseholder's rights and obligations under an existing lease agreement to another party.
- (4) **Permit** – Administrative approval issued by the City or other governmental agency, to a person or company to conduct a commercial aeronautical activity, and provide such services to based and transient aircraft only from facilities and locations where such services are authorized.
- (5) **Person** – Any individual, business, partnership, corporation, government, or other entity.
- (6) **Sublease** – A written agreement, approved by the City, stating the terms and conditions under which a third party Operator leases space from a Lessee for the purpose of providing aeronautical services at the Airport.

### ***Commercial Services Provider Classifications and Definitions***

- (1) **Avionics Sales and Maintenance** – The commercial operation of providing for the repair and service, or installation of aircraft radios, instruments and accessories. Such operation may include the sale of new or used aircraft radios, instruments and accessories.
- (2) **Business Hours** – Those hours during which the Operator is open and providing aeronautical activities to the general public. Business hours are to be determined by the Operator, unless otherwise specified in the agreement with the City, and are to be reasonable based upon customer and market circumstances.
- (3) **Fixed Base Operator (FBO)** – A commercial business granted the right by the airport sponsor to operate on an airport and provide aeronautical services such as fueling, hangaring, tie-down and parking, aircraft rental, aircraft maintenance, flight instruction, etc. The term “Operator” as used in these Minimum Standards shall include “FBOs.” The Airport Sponsor may choose to serve as a FBO operator at the Airport.
- (4) **Flight Training** – The commercial operation of instructing pilots in dual and solo flight, in fixed or rotary wing aircraft, and related ground school instruction as necessary to complete a FAA written pilot’s examination and flight check ride for various categories of pilots licenses and ratings. Flight Training shall also include any portion of a flight between two or more airports or other destinations where the primary purpose is to increase or maintain pilot or crew member proficiency.
- (5) **Flying Club** – A non-commercial and non-profit entity organized for the purpose of providing its members with any number of aircraft for their personal use and enjoyment. Aircraft must be vested in the name of the flying club owners on a pro-rata share, and the club may not derive greater revenue from the use of the aircraft than the cost to operate, maintain, and replace the aircraft.
- (6) **Preventive Aircraft Maintenance** – Maintenance that is not considered a major aircraft alteration or repair, according to FAA standards, and does not involve complex assembly operations as listed in 14 CFR Part 43, except for Item 22 in the Regulation.
- (7) **Self-Service** – Aircraft fueling, repair, preventive maintenance, towing, adjustment, cleaning, and general services performed by an aircraft owner or his/her employees on his/her aircraft with resources supplied by the aircraft owner.
- (8) **Sky Diving** – The descent of a person to the surface from an aircraft in flight when he or she uses or intends to use a parachute during all or part of that descent.
- (9) **Specialized Aviation Service Operation (SASO)** – A commercial aeronautical business that is authorized to offer a single or limited service according to established Minimum Standards. Examples of a SASO include, but are not limited to the following commercial aeronautical activities: flight training, aircraft maintenance, air charter or taxi, aircraft sales, avionics maintenance, aircraft rental, aircraft sales, sky diving, and aircraft storage. The term “Operator” as used in these Minimum Standards shall include “SASOs.”

### **Infrastructure Definitions**

- (1) **Box or Community Hangar** – A building used for the storage of a single aircraft or multiple aircraft in one common area. These hangars can be leased by one operator to store multiple aircraft or used to lease individual square footage per aircraft.
- (2) **Roadway** – Any street or road whether improved or unimproved, within the boundaries of the Airport and designated for use by vehicles.
- (3) **Taxilane** – The portion of the Airport apron area, or any other area, used for access between taxiways and aircraft parking or storage areas.
- (4) **Taxiway** – A defined path established for the taxiing of aircraft from one part of the Airport to another.
- (5) **Terminal** – A building usually used to transition pilots and passengers from the aircraft apron/storage areas to airport roadways and vice versa.
- (6) **T-Hangar** – A building used for storage of aircraft in individually divided, self-contained bays.
- (7) **Vehicle Parking Area** – Any portion of the Airport designated and made available temporarily or permanently by the Airport or an Operator for the parking of vehicles.

### **Minimum Standards for all Operators**

The following shall apply to all Operators conducting one or more Commercial Aeronautical Activity(s) at the Airport:

1. **Requirement to Hold a Valid Agreement** – No Operator shall conduct any commercial activity unless a valid agreement, lease, or permit authorizing such activity has been entered into between the City and the Operator. This also applies to current Operators desiring to offer a new commercial activity.
2. **Agreement Terms** – Leases, agreements, or permits shall be for a term to be mutually agreed upon between the Operator and City with due consideration for the financial investment and the need to amortize improvements to the leasehold and in accordance with like operations on the Airport. City will consider the current Master Plan and ALP implications before any lease, agreement, or permit is executed.
3. **Aeronautical Activity Requirement** – All commercial activities must be aeronautical in nature unless the activity will occur on land designated for non-aeronautical use as set forth in the Airport's ALP or unless approval for the short-term non-aeronautical use of an aeronautical facility has been granted by the City and properly coordinated with the FAA.

4. **Business Background** – Operators shall have a business background and shall have demonstrated its business capability to the satisfaction of, and in such manner as to meet with the approval of, the City.
5. **Resources** – Operators seeking to conduct a commercial aeronautical activity at the airport must demonstrate that they have adequate resources to realize the business objectives agreed to by the City and the Operator.
6. **Requirement to Provide Sufficient Equipment** – Operators seeking to conduct a commercial aeronautical activity at the airport must demonstrate that they can provide sufficient equipment (e.g. aircraft, vehicles, maintenance equipment, etc.) to conduct the commercial operation.
7. **Compliance with Development Standards/Requirements of the City** – Operators shall develop its hangars and facilities in accordance with the Airport Master Plan/ALP. All proposed hangar and facility dimensions must be approved by the City including modifications to existing facilities. Any prospective Operator that desires to build a hangar or other facility must provide the City with a proposed development plan that clearly shows the proposed facility layout, dimensions, and design specifications for the City’s review and approval.
8. **Requirement to Provide Infrastructure** – Operators must provide electric, water, and sewer infrastructure for their facilities that meet all applicable code requirements unless the City agrees to extend these utilities to the Operator’s facility.
9. **Building Code** – All hangars and facilities developed on the Airport must meet all applicable state and local building code standards for the type of building being constructed and any other applicable federal, state, or local building codes.
10. **Appearance Standards** – All hangars and facilities developed on the Airport must meet any appearance standards established by the City.
11. **Availability of Services/Products** – The Operator shall have its premises open and services and/or products available as is reasonable based upon customer and market circumstances for the type of services and products being provided and based on any established operating hours set forth in the Operator’s lease, permit, or agreement with the City.
12. **Demonstration of Ability to Pay** – All Operators shall demonstrate their ability to pay all rates, charges, and other fees required for the operation and development of any and all proposed facilities and operational expenses related to their business.
13. **Insurance Coverages** – The Operator shall demonstrate to the City satisfactory evidence of its ability to acquire insurance coverage as stipulated for each particular type of commercial operation (see Appendix A for minimum insurance coverage limits) and name the City as an additionally insured on each individual policy. The prospective Operator should make its own analysis to determine if additional insurance is needed above and beyond what the City requires. All required insurances shall be maintained in full force and effect during all terms of existing leases, permits,

or agreements and include a 30-calendar day notice of cancellation to the City. However, in all cases, amounts of policies must meet the statutory requirements.

14. **Staffing** – Operators must employ a sufficient number of staff members to ensure customers are properly cared for during all hours of the business' operation and have a sufficient number of staff at the facility during peak activity periods to meet customer needs (e.g. providing services in a reasonable amount of time, no excessive wait times, responsiveness, etc.).
15. **Requirement to Meeting Federal, State, or Local Regulations and Standards for the Commercial Aeronautical Activity** – Operators must meet any applicable federal, state, or local regulations or standards related to the Commercial Aeronautical Activity to be provided. This includes paying all taxes and securing all necessary business licenses that may be required by any federal, state, or local entity.
16. **Indemnification and Hold Harmless** – Operators shall defend, indemnify, save, and hold harmless the City and its representatives, officers, officials, employees, agents, and volunteers from and against any and all actual or alleged claims, demands, damages, expenses, costs, fees, fines, and/or penalties which may be imposed upon, claimed against, or incurred or suffered by the City. Operator's responsibility hereunder shall be limited to claims or losses reasonably related to action, or failure to act, by Operator, its employees, agents, contractors or other persons or entities on Operator's behalf. Such responsibility shall not extend to claims or losses arising from acts of God, terrorism, insurrection or any unforeseeable activity by third-parties acting without operator's knowledge or consent.

### **Minimums Standards for Commercial Operators Conducting Aircraft Airframe Engine and Accessory Maintenance and Repair**

In addition to the Minimum Standards previously stated for all Operators, the following Minimum Standards apply to any Operator conducting aircraft, airframe, engine and accessory maintenance and repair.

1. Operator shall provide sufficient equipment, supplies, manuals and availability of parts equivalent to that required for certification by the FAA.
2. Operator shall provide properly qualified personnel meeting FAA standards to complete all maintenance and repair activities.
3. No maintenance will be performed on ramps or storage hangars that are not specifically authorized for aircraft maintenance by the City.
4. Adequate and appropriate insurance types and amounts as required for this activity. Insurance minimums shown in Appendix A.

### **Minimums Standards for Commercial Operators Conducting Aircraft Rental**

In addition to the Minimum Standards previously stated for all Operators, the following Minimum Standards apply to any Operator conducting aircraft rental.

1. Any aircraft provided for rent must be properly certified and airworthy.
2. All required maintenance (annual and 100 hour) inspections are to be current.
3. Adequate and appropriate insurance types and amounts as required for this activity. Insurance minimums shown in Appendix A.

### **Minimums Standards for Commercial Operators Conducting Flight Training**

In addition to the Minimum Standards previously stated for all Operators, the following Minimum Standards apply to any Operator based at the airport conducting flight training.

1. Operator shall have available for use in flight training, either owned or leased to Operator, properly certificated and air worthy aircraft.
2. Operator shall have at least one Certified Flight Instructor (CFI) who has been properly certificated by the FAA to provide the type of training offered. Pilots with an Airline Transport Pilot (ATP) certificate may provide flight instruction as specified under 14 CFR 61.167 – *Airline Transport Pilot Privileges and Limitations*.
3. Operators may conduct flight training under 14 CFR Part 61 or 14 CFR Part 141. Operators operating a flight training operation in compliance with 14 CFR Part 141 – Pilot Schools must meet all applicable portions of the aforementioned federal regulation and provide a copy of their Part 141 certificate to the City.
4. Adequate and appropriate insurance types and amounts as required for this activity. Insurance minimums shown in Appendix A.

### **Minimums Standards for Commercial Operators Conducting Skydiving Operations**

In addition to the Minimum Standards previously stated for all Operators, the following Minimum Standards apply to any Operator conducting sky diving operations.

1. Operator shall supply at least one aircraft with a valid air worthiness certificate to conduct sky diving operations.
2. Operator shall have pilot(s) with the proper flight licenses and certifications.



3. Operator shall meet or exceed the Basic Safety Requirements (BSR) of the U.S. Parachute Association (USPA) and 14 CFR Part 105.
4. Operator shall supply sky diving instructors that are properly certified by the USPA and hold the appropriate ratings and medical certifications for the training being provided.
5. Operator shall have available a properly certified ground school instructor capable of providing on-demand ground school instruction.
6. Operator shall ensure all persons have all necessary licenses and certificates and have met all FAA and USPA requirements.
7. All parachutes shall be packed in accordance with the FAA's Parachute Rigger Handbook (FAA-H-8083-17, current edition) and, when appropriate, by an FAA certified parachute rigger certified under 14 CFR Part 65 Subpart F, Parachute Riggers.
8. Sky divers are only permitted to parachute into established drop zones approved by the City and that conform to the drop zone requirements established by the USPA Skydiver's Information Manual.
9. Adequate and appropriate insurance types and amounts as required for this activity. Insurance minimums shown in Appendix A.

### **Minimums Standards for Commercial Operators Conducting Aircraft Storage**

In addition to the Minimum Standards previously stated for all Operators, the following Minimum Standards apply to any Operator conducting aircraft storage.

The storage of aircraft activities are segmented into three categories:

#### ***Aircraft Tie-Down***

***Aircraft Tie-Downs are for aircraft parking on an apron/ramp and physically secured to said apron/ramp with tie down ropes or chains.***

1. No more than one aircraft may be parked on a single tie-down space.
2. Tie-down spaces will be leased to the aircraft owner by either the City or the Operator.
3. The aircraft owner shall be responsible for securing their own aircraft.
4. The City or Operator shall not be responsible for damage to the aircraft that occurs due to the elements or adverse weather.

5. Each tie-down space is designed to accommodate aircraft of a certain size. No aircraft may utilize a tie-down space for parking if the aircraft is larger than the size of aircraft the tie-down space was originally designed to accommodate.

#### ***T-Hangar***

***T-Hangars are hangar complexes with aircraft storage facility with individual units for the storage of a single aircraft.***

1. No more than one aircraft may be parked in a single unit.
2. Each aircraft owner shall lease a bay from either the City or an Operator.
3. Each aircraft owner shall be responsible for the movement into and out of the hangar.
4. No maintenance shall be conducted in a T-hangar unless approved by the City and Operator (if applicable).
5. No fueling of aircraft shall occur in a T-hangar.
6. Adequate and appropriate insurance types and amounts as required for this activity. Insurance minimums shown in Appendix A.

#### ***Community or Box Hangar***

***Community or box hangars are large hangar facilities used for the storage of a single or multiple aircraft.***

1. The Operator is responsible for securing aircraft in the hangar by chocking tires.
2. If used as a community storage hangar for multiple aircraft with different owners/operators, the Operators staff shall be responsible for moving another aircraft in or out of the hangar.
3. No maintenance on aircraft shall be conducted in a community or box hangar unless approved by the City and Operator.
4. No fueling of aircraft shall occur in a community or box hangar.
5. Adequate and appropriate insurance types and amounts as required for this activity. Insurance minimums shown in Appendix A.

### **Minimums Standards for FBOs**

In addition to the Minimum Standards previously stated for all Operators, the following Minimum Standards apply to FBO Operators. FBO Operators must supply:

1. Appropriate grades of aviation fuel.
  - a. 100 octane low lead aviation gasoline (100LL / Avgas)
  - b. Jet A
2. An adequate inventory of generally accepted grades of aviation engine oil and lubricants.
3. Fuel dispensing equipment, meeting all applicable Federal, State, and local authority requirements for each type of fuel dispensed. A storage capacity of at least 8,000 gallons minimum per grade of fuel being sold is required.
4. The safe storage and handling of fuel in conformance with all Federal, State and County requirements and fire codes pertaining to safe storage and handling of fuel.
5. The lawful and sanitary handling and timely disposal, away from the Airport, of all solid waste, regulated waste, and other materials including, but not limited to, used oil, solvents, and other regulated waste. The piling and storage of crates, boxes, barrels, and other containers will not be permitted within the leased premises.
6. Restroom facilities for personnel and customers shall be available for use during normal business hours.
7. Auto parking for customers and employees.
8. A flight planning area with appropriate seating, work areas, communication facilities, directories and all items necessary for complete flight planning. The flight planning area shall be available for use by customers during normal business hours as defined by the Operator.
9. A pilot lounge and waiting area for transition of air passengers to ground transportation, and vice versa. The pilot lounge and waiting area shall be available for use during normal business hours.
10. Adequate bonding wires will be installed, continuously inspected and maintained on all fueling equipment, to reduce the hazards of static electricity discharge and the potential for fire caused by said hazard.
11. An adequate supply of properly located fire extinguishers and other precautions and/or equipment required by applicable fire codes.
12. Unless provided by the City, the Operator shall have a fixed fuel storage system which shall contain safety fixtures and filtration systems to ensure fuel quality. The storage system must include adequate fuel spill prevention features and containment capabilities, together with an approved fuel Spill Prevention Countermeasures and Control Plan (SPCC), as applicable.
13. An approved aviation fuel spill kit shall be provided and located in close proximity to the fuel system

and labeled for easy identification.

14. Adequate and appropriate insurance types and amounts as required for this activity. Insurance minimums shown in Appendix A.

### **Minimums Standards for Commercial Operators Conducting Avionics Instruments, Propeller Repair Station**

In addition to the Minimum Standards previously stated for all Operators, the following Minimum Standards apply to any Operator conducting avionics, instrument, or propeller repairs.

1. Operator shall employ personnel who are properly licensed and credentialed to conduct avionics, instrument, and/or propeller repairs.
2. Operator shall provide sufficient equipment, supplies, manuals and availability of parts equivalent to that required for certification by the FAA.
3. If a repair station is to be certified under CFR Part 145, the repair station shall meet all requirements for the type of rating. The Operator shall provide proof of certification before operations can begin.
4. Adequate and appropriate insurance types and amounts as required for this activity. Insurance minimums shown in Appendix A.

### **Minimums Standards for Commercial Operators Conducting Aircraft Charter and Air Taxi Operations**

In addition to the Minimum Standards previously stated for all Operators, the following Minimum Standards apply to any Operator conducting aircraft charter and/or air taxi operations.

1. The Operator shall provide, either owned or under written lease, the type, class, size and number of aircraft intended to be used by the company, not less than one single-engine four-seat aircraft and/or one multi-engine aircraft, both of which must meet the requirements of the air taxi commercial certificate held by the Operator. All aircraft shall be certified for instrument operations.
2. The Operator shall employ a pilot with proper licenses and ratings to operate the Operator's aircraft.
3. Adequate and appropriate insurance types and amounts as required for this activity. Insurance minimums shown in Appendix A.
4. If the Operator is certified under 14 CFR Part 135, the Operators shall comply with all provisions under 14 CFR Part 135 and provide proof of said certification to the City.

## **Minimum Standards for Commercial Operators Conducting Specialized Commercial Flying Services**

A specialized commercial flying service is any commercial operation that engages in air transportation for hire for the purpose of providing the use of aircraft for the following activities:

- Non-stop sightseeing flights that begin and end at the same airport.
- Crop dusting, seeding, spraying, and bird chasing.
- Banner towing and aerial advertising.
- Aerial photography or survey (including any done by UAS).
- Power line or pipeline patrol.
- Firefighting.
- Any other operations specifically excluded from Part 135 of the Federal Aviation Regulations.

In addition to the Minimum Standards previously stated for all Operators, the following Minimum Standards apply to any Operator providing the aforementioned specialized commercial flying services:

1. Any Operator providing specialized commercial flying services shall lease property from the City sufficient to accommodate all activities and operations proposed by the Operator. The minimum areas in each instance shall be subject to the approval of City. In the case of crop dusting or aerial application, Operator shall make suitable arrangements and have such space available in its leased area for safe loading and unloading and storage and containment of chemical materials. A written emergency plan for the handling of hazardous materials shall also be required. Operator shall demonstrate that it has the availability of aircraft suitably equipped and certified for the particular type of operation it intends to perform.
2. The City shall set the minimum insurance requirements as they pertain to the particular type of operation to be performed. These minimum requirements shall be applicable to all operations of a similar nature. Operator will, however, be required to maintain the Aircraft Liability Coverage as set forth for all Operators. Insurance minimums shown in Appendix A.

## **Minimum Standards for Flying Clubs**

In addition to the Minimum Standards previously stated for all Operators, the following Minimum Standards apply to any flying club operator:

1. Flying Clubs must meet the strict definition of the FAA and provide a list of members to the City with an update every six consecutive calendar months. The Flying Clubs shall provide an emergency contact person and phone number.
2. Flying Club aircraft shall not be used to perform commercial aeronautical activities.
3. The Flying Club shall furnish the City with the make, model and tail number of the aircraft being used in the club.

4. Adequate and appropriate insurance types and amounts as required for this activity. Insurance minimums shown in Appendix A.

### **Enforcement**

In the event an Operator fails to comply with these Minimum Standards, the City shall send a written statement of violation to such entity to the address provided in said Operator's lease, agreement, or permit with the City. The Operator shall have 15 business days from the date the statement of violation is sent to provide a written statement to the City explaining why the violation occurred and the corrective actions taken or to be taken in the future (including a timeline). The City, at its discretion, has the right to require the Operator to suspend or revoke its commercial activity(s) at the Airport until such time that the City is satisfied that the violation has been properly corrected.

### **Applications and Qualifications**

Demonstration of intent to conduct a Commercial Aeronautical Activity at the Airport shall be by application to the City. The written application shall contain at minimum:

1. The proposed nature of the business. A business plan may be used to express the proposed nature of the business.
2. The signatures and legal names of all parties whose names are being submitted as owning an interest in the business or will appear on leases or other documents as being a partner, director or corporate officer and those who will be managing the business.
3. The name, telephone number and address of the primary contact person.
4. A written authorization for the FAA, any aviation or aeronautics commissions, administrators, and departments of all states in which the applicant has engaged in aviation business to release information in their files relating to the applicant or its operation. The prospective Operator will execute such forms, releases, or discharges as may be required by those agencies.
5. Proof (copy or insurance company letter of intent) of liability coverage for the insurances required by these Minimum Standards.
6. The estimated number of persons to be employed including names and qualifications of management or supervisory personnel and whether they are to be full or part time employees.
7. Proposed business hours.
8. A summary of the prospective Operator's financial history and financial resources that will be utilized to fund the development and operation of the proposed commercial operation. The City may request additional supporting financial documentation. This requirement is waived for all

commercial aeronautical operators existing at the Airport as of the approval date of these Minimum Standard.

9. Such other information as the City may require.
10. Proposed infrastructure development plans/graphics (e.g. hangar/building layout, parking lot, etc.)

### **Action on Application**

All applications will be reviewed and acted upon by the City within 90 days from the receipt. Applications may be denied for one or more of the following reasons:

1. The prospective Operator does not meet qualifications, standards and requirements established by these Minimum Standards.
2. The prospective Operator's proposed operations or construction will create a safety hazard on the Airport.
3. There is no appropriate or adequate available space or building on the Airport to accommodate the activity of the prospective Operator.
4. The prospective Operator's operation, airport development or construction does not comply with the approved Airport Layout Plan or any modifications thereof.
5. The development or use of the area requested will result in a congestion of aircraft or buildings, or will result in unduly interfering with the operations of any present Operator on the Airport, such as problems in connection with aircraft traffic or service, or preventing free ingress and egress to the existing Operator's lease area, or will result in depriving an existing Operator of portions of its leased area in which it is operating.
6. The prospective Operator, or any party with interest in the prospective Operator's business, has supplied false information, or has misrepresented any material fact in the application or in supporting documents, or has failed to make full disclosure on the application.
7. The prospective Operator, or any party with interest in the prospective Operator's business, has a record of violating the Rules and Regulations of any other airport, FARs, and/or any local, state, or federal laws and regulations.
8. The prospective Operator, or any party with interest in the prospective Operator's business, has defaulted in the performance of any lease or other agreement with the City or any lease or other agreement at any other airport or landlord.

9. The prospective Operator, or any party with interest in the prospective Operator's business, is not sufficiently credit worthy and responsible in the judgment of the City to provide and maintain the business to which the application relates.
10. The prospective Operator does not have the finances necessary to conduct the proposed operation for a minimum period of six months.
11. The prospective Operator has committed any crime, or violated any federal, state, or local ordinance, rule, or regulation, which adversely reflects on its ability to conduct the commercial operation for which it has applied to perform at the Airport.

### **Permits for Commercial Aeronautical Activities**

Circumstances may occur from time-to-time where an off-airport Operator receives a request from an Airport user, tenant, or another Operator located at the Airport to conduct a commercial aeronautical activity (e.g. specialized services that may not be available on the field, etc.) at the Airport on an infrequent basis. In these cases, the City may, at its discretion, exempt the off-airport Operator from the Commercial Operator Application discussed in this document and issue a permit to the Operator authorizing them to conduct the commercial aeronautical activity at the Airport.

### **Through the Fence Operations**

Through-the-Fence operations may be granted on a case-by-case basis at the discretion of the City in coordination with the FAA. Proposed Through-the-Fence operations will be evaluated based on their potential economic benefit to the airport/community and their impact to public safety, existing infrastructure, and airport operations.

### **Operator's Subleasing**

All subleases must be approved in writing by the City prior to the sublease being executed. Said sublease shall define the type of business and service to be offered by the sub-lessee. The sub-lessee shall meet all of the Minimum Standards established by the City for the categories of services to be furnished by the sub-lessee. The Minimum Standards may be met in combination between Operator and sub lessee. The sublease agreement shall specifically define those services to be provided by Operator to the sub-lessee that shall be used to meet the Minimum Standards. The operator may not sublease any facility for a higher rate than what they are currently paying.

### **Assignment and Assumption Lease**

All assignment and assumption agreements for taking over an existing lease agreement must be approved in writing by the City prior to the assignment and assumption being executed. Said assignment and assumption agreement shall define the type of business and service to be offered by the new Operator taking over the rights and obligations under the existing lease agreement. The new Operator taking over the lease, shall meet all of the Minimum Standards established by the City for the categories of services



they will be providing. The new Operator will be required to file an application to conduct a commercial aeronautical activity at the Airport with the City as described on Page 17 of these Minimum Standards for the City's review and consideration before the City will approve the assignment and assumption agreement.

## **Appendix A Minimum Insurance Coverages**

### ***Minimum Insurance Policy Limits***

Each commercial operator shall at all times maintain in effect the following types and minimum amounts of insurance as applicable to the business being conducted. The limits specified are minimums only.

#### **FBO Insurance**

Commercial general aviation liability policy with coverages for premises, operations and product liability	\$1,000,000.00 CSL
Products/Completed Operations	\$1,000,000.00 CSL
Hangar Keepers Liability*	\$500,000.00 CSL
Personal injury	\$1,000,000.00 CSL

#### **Airframe, Engine, Avionics, Instrument, Accessory or Propeller Repair**

Commercial general aviation liability policy with coverages for premises, operations and product liability	\$1,000,000.00 CSL
Products/Completed Operations	\$1,000,000.00 CSL
Hangar Keepers Liability*	\$500,000.00 CSL

#### **Aircraft Storage**

Commercial general aviation liability policy with coverages for premises, operations and product liability	\$1,000,000.00 CSL
Hangar Keepers Liability*	\$500,000.00 CSL

#### **Air Taxi and Charter**

Commercial general aviation liability policy with coverages for premises, operations and product liability	\$1,000,000.00 CSL
Aircraft liability with coverage for bodily injury and property damage including passengers	\$1,000,000.00 CSL

Hangar Keepers Liability\* \$500,000.00 CSL

#### **Aircraft Rental and/or Flight Training**

Commercial general aviation liability policy with coverages for premises, operations and product liability \$1,000,000.00 CSL

Aircraft liability with coverage for bodily injury and property damage including passengers \$1,000,000.00 CSL

Hangar Keepers Liability\* \$500,000.00 CSL

Student and renters liability \$500,000.00 CSL

#### **Flying Club**

Commercial general aviation liability policy with coverages for premises, operations and product liability \$1,000,000.00 CSL

#### **Sky Diving Operations**

Commercial general aviation liability policy with coverages for premises, operations and product liability \$1,000,000.00 CSL

Aircraft Liability – If aircraft used in operation \$1,000,000.00 CSL

Hangar Keepers Liability\* \$500,000.00 CSL

#### **Specialized Commercial Flying Services**

Commercial general aviation liability policy with coverages for premises, operations and product liability \$1,000,000.00 CSL

Aircraft Liability – If aircraft used in operation \$1,000,000.00 CSL

Hangar Keepers Liability\* \$500,000.00 CSL

**Automobile Liability Coverage (Applies to All Operators with Vehicles)**

General Liability Policy \$1,000,000.00 CSL

Any Operator using service vehicles on airport premises in support of its operation shall maintain the following additional coverage: Motor Vehicle Liability \$1,000,000.00 CSL

\* Hangar Keepers: If the estimated value of the most valuable aircraft held in the hangar is in excess of this limit the amount shall be increased to that average.

All insurance shall be in a form from an insurance company with an AM Best's financial rating of a minimum A-. All policies, except workers compensation policies, shall name the City, officers, employees as additional insured and the operator shall furnish Certificates of Insurance to the City. Such certificates shall provide for unequivocal thirty (30) day notice of cancellation, or material change of any policy limits and conditions.